

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**ENRIQUE RODRIGUEZ NARVAEZ
MYRNA IRIS RIVERA ORTIZ
DEBTORS**

**Case No. 18-02044-EAG
Chapter 11**

APPLICATION FOR FINAL DECREE

TO THE HONORABLE COURT:

COMES NOW, ENRIQUE RODRIGUEZ NARVAEZ AND MYRNA IRIS RIVERA ORTIZ (“Debtors”) through its legal representation and respectfully state and pray as follows:

1. On April 16, 2018, Debtors filed its voluntary petition for relief pursuant to chapter 11 of the Bankruptcy Code, 11 U.S.C. §1101 et.seq.
2. On October 26, 2018, Debtors filed a Disclosure Statement and Plan of Reorganization (“Plan”) and supplemented filed on March 18, 2019 on dockets no. 34 and 60, which was approved and confirmed by this Honorable Court on March 25, 2019 (see, docket no. 65).
3. The Plan filed by Debtors contemplated a liquidation plan to all creditors.
4. Debtors, through this motion, moves this Honorable Court for the entry of an order of final decree with the substantial consummation and closing of the case, since the substantial consummation of Debtors’ Plan has taken place.
5. In accordance to Section 1101(2) of the Bankruptcy Code, 11 U.S.C.A. §1101(2), substantial consummation of a Chapter 11 plan means:

(A) transfer of all or substantially all of the property proposed by the plan to be transferred; (B) assumption by the debtor or by the successor to the debtor under the plan of the business or of the management of all or substantially all of the property dealt with by the plan; and (C) commencement of distribution under the plan. 11 U.S.C.A. § 1101

6. In the instant case the Plan has been substantially consummated since:

- a. The distribution payments under the plan have been made;
- b. Debtors have assumed the management of the property dealt with by the plan;
- c. Debtors have made the payments in accordance to the plan provisions; and
- d. All motions, contested matters, and adversary proceedings have been resolved.

7. Debtors have paid all the invoices corresponding to the U.S. Trustee Office fees. At this moment, Debtors are current and does not has balance pending with the us trustee. However, if Debtors receive any invoices it will be satisfied in twenty (20) days or less, after receiving the notice of billing. The payments to the U.S. Trustee will continue until this Honorable Court orders the closing of this case.

8. Debtors are making payments for the administrative expenses and will continue with the payments until they are paid in full and this Honorable Court orders the closing of this case or as else agreed with each professional or creditor.

9. Debtors commenced the distributions prescribed by the Plan. *See, Ex. A: Distributions made by Debtors.*

10. All remaining distributions prescribed by the Plan will be made in accordance thereto.

11. Debtors' Plan of Reorganization is substantially consummated as stated in section 1101 of the Bankruptcy Code, 11 U.S.C.A. §1101(2).

12. Evidence of said payments can be evaluated in Debtors' Post-confirmation quarterly operating report available at the Clerk's Office for review of parties in interest. Debtors have filed the operating reports up to February 2022.

13. By mean of this motion, Debtors inform to this Honorable Court that we have paid all creditors and as this moment there is only one creditor pending, which is the Sucesion Enrique Sanchez Recio. This Estate is composed for 8 heirs and Debtors have settle with 3 heirs remaining 5 pending and with whom Debtors are working the final solution. Once this is done Debtors will apply to request discharge.

14. Debtors requests this Honorable Court to enter an Order for final decree with substantial consummation and closing of the instant case.

WHEREFORE, Debtors pray for an Order granting this motion for final decree and closing of the instant case, with any other procedure that in accordance to law this Honorable Court deems just and proper.

RESPECTFULLY SUBMITTED.

NOTICE

You are hereby notified of the filing of this APPLICATION FOR FINAL DECREE. If within twenty one (21) days after service as evidenced by this certification, and an addition three (3) days if you were served by mail pursuant to F.R.B.P. 9006(f), any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, must serve and file an objection or the appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the stipulation will be deemed unopposed and may be granted unless: (I) the requested relief is forbidden by law, (II) the requested relief is against public policy, (III) in the opinion of the Court the interests of justice requires otherwise.

I CERTIFY that on this same date, I have electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to all CM/ECF participants in this case, including the office of the US Trustee and all other parties in interest, as per the Master Address List.

In Caguas, Puerto Rico, this 13th day of April 2022.

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/s/ Victor Gratacós-Díaz

Víctor Gratacós-Díaz (127906)

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Summary of Payments to Creditors:

1. Lopez Enterprises Inc.

- a) \$ 139,120 – Check #498 dated 8/2/2021
- b) 8,880 - “ #499 “ “
- c) 325,000 - “ #502 “ 9/10/2021
- d) 400,000 - “ #505 “ 9/29/2021
- e) 351,750 - “ #522 “ 10/29/2021

\$1,224,750

2. Banco Popular de Puerto Rico:

- a) \$1,108,900 – Mortgage note cancelled (paid from Tax Credit sold on August 2021
- b) 4,100 – Master Card (credit card pay-off) check #624 dated 3/18/2021

\$1,113,000

3. CRIM:

- a) Check #615 for \$6,061.66 dated 1/24/2022
- b) Check #616 for \$7,048.38 dated 1/24/2022
- c) Check #617 for \$7,455.75 dated 1/24/2022
- d) Check #618 for \$2,055.52 dated 1/24/2022
- e) Check #605 for \$2,621.66 dated 12/20/2021
- f) Check #606 for \$5,631.69 “ “
- g) Check #607 for \$11,400.59 “ “
- h) ATH #X4570 for \$6,661.36 “ 11/12/2021
- i) ATH #X4570 for \$1,560.80 “ “

- j) Tax Credits for \$34,834.17 Credits for Using the farms for Cattle raising (agriculture)

\$85,331.58

4. Sucesion Enrique Sanchez Recio:

- a) Check #523 for \$ 50,000
- b) Check #491 for 25,000
- c) See Note 1 below

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5. Sucesion Antonio Palau:

a) Check #477 for \$95,000 in full payment of the debt with this creditor.

6. National Mortgage, LLC (mortgage note was sold to Shellpoint Mortgage Servicing)

a) \$29,387.45 was paid in full payment of the mortgage balance. The property was sold on October 7, 2021 to a third party and the amount was paid by the new company financing the purchase

7. Westgate Resorts:

- a) ATH payment for \$ 1,188.00 dated 1/04/22
- b) ATH payment for 1,130.00 dated 1/07/21
- c) ATH payment for 862.00 dated 1/05/20

8. Carlos R. Garcia Velez:

- a) Check #602 for \$ 25,000 dated 11/24/21
- b) Check #011 for 25,000 dated 11/17/21

9. Super Roof Sealant Contractor:

- a) Check #445 for \$ 3,000 dated 11/02/20

10: Gomez Piñero & Asociados:

- a) Check #483 for \$ 2,000 dated 5/15/21
- b) Check #464 for 1,000 dated 3/01/21
- c) Check #430 for 8,000 dated 8/03/20

Recapitulation of Payments:

1. Lopez Enterprises Inc.	\$1,224,750
2. Banco Popular de P.R.	1,113,000
3. CRIM	85,332
4. Sucesion Enrique Sanchez Recio	1,421,466 (See Note #1)
5. Sucesion Antonio Palau	95,000
6. National Mortgage LLC	29,387
7. Westgate Resorts	3,180

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8. Carlos R. Garcia Velez	50,000
9. Super Roof Sealant Contractor	3,000
10. Gomez Piñero & Asociados	11,000

Total Pagado	<u><u>\$ 4,036,115</u></u>